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FROM: James J. Mullen III/LR DATE: February 10, 2006

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Atty Docket No:	312762002400
Application No.	09/734,786
Filed:	December 11, 2000
Inventors:	Norimitsu SAITO et al.
Art Unit:	1636
Examiner:	D. Sullivan
Title:	METHODS FOR INTRODUCING GENES INTO MAMMALIAN SUBJECTS

Enclosed are the following documents:

1. Transmittal (1 page)
2. Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97 & 1.98 (2 pages)
3. PTO/SB/08a/b Form (1 page)
4. References (1) - 23 pages

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SD-301555



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/734,786
		Filing Date	December 11, 2000
		First Named Inventor	Norimitsu SAITO
		Art Unit	1636
		Examiner Name	D. Sullivan
Total Number of Pages in This Submission	28	Attorney Docket Number	312762002400

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/08a/b Form (1 page) Reference (1) FAX cover sheet (1 page)
Remarks CUSTOMER NO. 25225		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

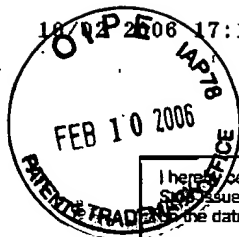
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Signature			
Printed name	James J. Mullen, III		
Date	February 10, 2006	Reg. No.	44,957

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Dated: February 10, 2006

Signature: *Gregory Rogus*

(Gregory Rogus)

Patent

Docket No. 312762002400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Norimitsu SAITO et al.

Serial No.: 09/734,786

Filing Date: December 11, 2000

For: METHODS FOR INTRODUCING
GENES INTO MAMMALIAN
SUBJECTS

Examiner: D. Sullivan

Group Art Unit: 1636

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Upon receipt of the Notice of Allowance and upon review of this case, it was discovered that the document set forth on the enclosed Form PTO/SB/08a/b, which was originally submitted with an Information Disclosure Statement, dated August 2, 2001, was not considered by the Examiner because an English language translation was not provided. A copy of the document and an English abstract are enclosed herewith. It is understood that the Office is under no obligation to consider the document at this time; however, to complete the record it is submitted.

While applicants believe that the document is in no way destructive of patentability of the allowed claims, in the interest of completeness, it is submitted herewith. Specifically, the abstract for the cited document, DE 197 40 092 A1 discusses the use of liposomes as a delivery

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vehicle for gene therapy of skin cells, including keratocytes from hair follicles. The translation provided does not teach or suggest a method to introduce a nucleic acid molecule into a mammalian subject comprising transplanting into the dermis of said subject at least one hair follicle that has been modified ex vivo to contain the nucleic acid molecule. As such, we do not consider this reference as anticipatory or rendering the claimed invention obvious.

Dated: February 10, 2006

Respectfully submitted,

By 

James J. Mullen III, Ph.D.

Registration No.: 44,957

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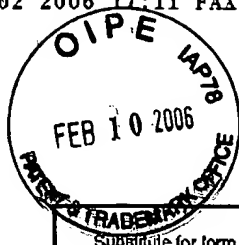
(858) 720-7940

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Serial Number: 09/734,786

Docket No. 312762002400



ALTERNATIVE TO PTO/SB/08a/b (07-05)

SUBSTITUTE for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	09/734,786
				Filing Date	December 11, 2000
				First Named Inventor	Norimitsu SAITO
				Art Unit	1636
				Examiner Name	D. Sullivan
Sheet	1	of	1	Attorney Docket Number	312762002400

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² -Number ³ -Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
	1.	DE-197 40 092	03/1999			

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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